

ASSISTANT ATTORNEY GENERAL

Department of Justice
Washington

September 7, 1955

Lawrence Houston, Esquire
General Counsel
Central Intelligence Agency
2430 E Street, N. W.
Washington, D. C.

Dear Mr. Houston:

As I wrote you, August 30, 1955, this Department has been assigned certain advisory responsibility regarding employment of WOC's. In addition, as a matter of past practice this Department has recommended certain standards to govern the use of certain advisory committees. This is to bring you up to date on recent actions in both areas.

First, WOC's. As you know, amendments to the Defense Production Act of 1950, approved August 9, 1955, authorized the President "to the extent he deems it necessary and appropriate in order to carry out the provisions of this Act, and subject to such regulations as he may issue, to employ persons of outstanding experience and ability without compensation" (Section 710(b)(1)). Amendments to that act, however, prescribe certain limitations on that authority's exercise. In addition, employment of WOC's or consultants may under some circumstances be authorized by other statutes.

To discharge our responsibility we undertook at the outset to survey all executive departments and agencies regarding all persons appointed on a WOC or consultant basis. In addition, we have met with the Civil Service Commission and the Office of Defense Mobilization. Our aim is to formulate instructions to all departments and agencies, uniform in character, regarding compliance with Defense Production Act requirements (for example, its financial filing requirements), as well as the necessity for or desirability of some uniform policy governing employment of WOC's or consultants under other statutes.

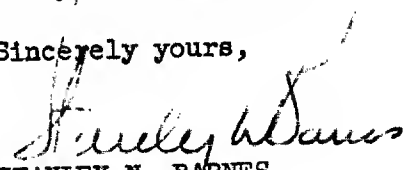
We appreciate the press of time. We shall make every effort to suggest instructions as soon as feasible. In the interest of ensuring uniform interpretation, however, we request you not to issue any new instructions to your agency's employees regarding compliance with Defense Production Act requirements for employment of WOC's, or consultants under any other act, until our task has been completed. Only thus can the experience of each individual agency be brought to

bear on the problems of others and policy in this area be formulated with an eye toward the needs of the Government as a whole.

Second, regarding advisory committees. At present we are surveying the extent to which this Department's recommended standards for advisory committees have been adopted throughout the Government. Then for decision will be the extent to which these or other standards should be embodied in some more formal regulation, or even statute. This decision will involve, of course, questions of defining "advisory committees" as well as determining criteria for their operation. Again, I understand the necessity for rapid action. However, the wisest path seems to me to be for each agency to withhold formulating special rules to govern its advisory committees until some over-all Government policy has been set.

In this regard I shall appreciate your cooperation.

Sincerely yours,


STANLEY N. BARNES
Assistant Attorney General
Antitrust Division